

76-8-504.5. False statements -- Preliminary hearing.

(1) A person is guilty of a class A misdemeanor if the person makes a false statement:

(a) which the person does not believe to be true;

(b) that the person has reason to believe will be used in a preliminary hearing;

and

(c) after having been notified either verbally or in writing that:

(i) the statement may be used in a preliminary hearing before a magistrate or a judge; and

(ii) if the person makes a false statement after having received this notification, he is subject to a criminal penalty.

(2) Notification under Subsection (1) is sufficient if it is verbal or written and is in substantially the following form: "You are notified that statements you are about to make may be presented to a magistrate or a judge in lieu of your sworn testimony at a preliminary examination. Any false statement you make and that you do not believe to be true may subject you to criminal punishment as a class A misdemeanor."

Enacted by Chapter 215, 1999 General Session